

## **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-20 were pending in the application, of which Claims 1, 7, 9, 14, and 20 are independent. In the Final Office Action dated December 28, 2007, Claims 1-20 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-20 remain in this application. Applicants hereby address the Examiner's rejections in turn.

### **I. Interview Summary**

Applicants thank Examiner Nash for the courtesy of a telephone interview on April 21, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references did not render obvious the claims as amended. The Examiner agreed that the amendments appeared to overcome the cited references, but stated that further searching would be required. No agreement was reached regarding patentability.

### **II. Rejection of the Claims Under 35 U.S.C. § 103(a)**

In the Final Office Action dated December 28, 2007, the Examiner rejected Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,333,973 ("*Smith*") in view of U.S. Pub. Patent App. No. 2002/0069291 ("*Tinda*") and further in view of U.S. Pub. Patent App. No. 2002/0083160 ("*Middleton*"). Independent Claims 1, 7, 9, 14, and 20 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "formatting the message to the requirements of an application associated with the first prioritized provider, wherein formatting the message to the requirements of the application comprises removing the character sequence indicating the message type" and "associating the message with a default provider associated with a lowest priority when at least one of the plurality of higher prioritized providers does not recognize the message type." Amended Claims 7, 9, 14, and 20 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 7, lines 29-30 and page 10, lines 1-7.

In contrast, *Smith* at least does not teach or suggest the aforementioned recitation. For example, *Smith* discloses a message center that presents a user with a total number of received messages. (See *Smith*, col. 8, lines 35-37.) *Smith* further discloses a scrollable, selectable notification header list for all received messages. (See *Smith*, col. 8, lines 37-40.) Each list entry identifies a received message and includes a sender's name and an identification icon identifying the message type. (See *Smith*, col. 8, lines 40-43.) In *Smith*, received messages are not formatted to remove identifying character sequences. Rather, *Smith* merely discloses a list of message headers. Further, the Examiner states that *Smith* fails to disclose a prioritized provider list. (See Office Action, page 3.) Applicants therefore respectfully submit that *Smith* cannot disclose a default provider associated with a lowest priority level to handle messages not recognized by other providers.

Furthermore, *Tindal* does not overcome *Smith*'s deficiencies. *Tindal* merely discloses optimizing network resources. (See *Tindal*, Abstract.) In *Tindal*, enterprises

are given a routing priority for a particular timeframe. (See *Tindal*, para. [0025].) *Tindal* states that routers along a pathway are dynamically reconfigured to enable priority data handling. (See *Tindal*, para. [0026].) *Tindal* then routes higher priority data before lower priority data. (See *Tindal*, para. [0026].) Nowhere, however, does *Tindal* disclose either formatting received messages to remove identifying character sequences or assigning a lowest priority level to a default provider. Rather, *Tindal* merely discloses routing network traffic according to priority levels.

Also, *Middleton* does not overcome *Smith's* and *Tindal's* deficiencies. *Middleton* merely discloses application management using secondary storage on a mobile device. (See *Middleton*, Abstract.) In *Middleton*, a launcher tracks program parameters such as size, time stored in memory, usage amount, and usage priority. (See *Middleton*, para. [0006].) *Middleton* discloses as an example that all programs designated as games may be given a low storage priority. (See *Middleton*, para. [0014].) *Middleton's* storage priority defines the relative priority of allowing a program to be stored on the mobile device when storage capacity is limited. (See *Middleton*, para. [0014].) Nowhere, however, does *Tindal* disclose either formatting received messages to remove identifying character sequences or assigning a lowest priority level to a default provider. Rather, *Middleton* merely describes storing a priority level for an application used to determine whether storage space is available for the application.

Combining *Smith* with *Tindal* and *Middleton* would not have led to the claimed subject matter because *Smith*, *Tindal*, and *Middleton*, either individually or in combination, at least do not disclose "formatting the message to the requirements of an application associated with the first prioritized provider, wherein formatting the message

to the requirements of the application comprises removing the character sequence indicating the message type" and "associating the message with a default provider associated with a lowest priority when at least one of the plurality of higher prioritized providers does not recognize the message type," as recited by amended Claim 1. Amended Claims 7, 9, 14 and 20 each includes a similar recitation. Accordingly, independent Claims 1, 7, 9, 14, and 20 are each patentably distinguishable over the cited references, and Applicants respectfully request withdrawal of this rejection of Claims 1, 7, 9, 14, and 20.

Dependent Claims 2-6, 8, 10-13, and 15-20 are also allowable at least for the reasons described above regarding independent Claims 1, 7, 9, and 14, and by virtue of their respective dependencies upon independent Claims 1, 7, 9, and 14. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-6, 8, 10-13, and 15-20.

### III. Conclusion

Applicants respectfully request that this Amendment After Final be entered by the Examiner, placing the claims in condition for allowance. Applicants respectfully submit that the proposed amendments of the claims do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicants respectfully submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant respectfully submit that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The preceding arguments are based only on the arguments in the Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this amendment and charge any additional required fees to our Deposit Account No. 13-2725.

Respectfully submitted,

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